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DEF0101

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By: Aliseda

H.B. No. 3627

A BILL TO BE ENTITLED

AN ACT

relating to the use of audio and visual recording devices in a polling place.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 33.006(b), Election Code, is amended to read as follows:

(b) A certificate of appointment must:

(1) be in writing and signed by the appointing authority or, for an appointment for a write-in candidate under Section 33.004, by each of the voters making the appointment;

(2) indicate the capacity in which the appointing authority is acting;

(3) state the name, residence address, and voter registration number of the appointee and be signed by the appointee;

(4) identify the election and the precinct polling place or other location at which the appointee is to serve; and

(5) in an election on a measure, identify the measure if more than one is to be voted on and state which side of the measure the appointee represents [~~and~~

~~(6) contain an affidavit executed by the appointee stating that the appointee will not have possession of any mechanical or electronic means of recording images or sound while serving as a watcher].~~

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1 SECTION 2. Section 33.051(c), Election Code, is amended to
2 read as follows:

3 (c) ~~[A watcher may not be accepted for service if the~~
4 ~~watcher has possession of any mechanical or electronic means of~~
5 ~~recording images or sound.]~~ The presiding judge may inquire
6 whether a watcher has possession of any mechanical or electronic
7 means of recording images or sound ~~[prohibited recording device]~~
8 before accepting the watcher for service.

9 SECTION 3. Section 61.014(b), Election Code, is amended to
10 read as follows:

11 (b) A person may record ~~[not use any mechanical or~~
12 ~~electronic means of recording]~~ images or sound within ~~[100 feet of]~~
13 a voting station only if the recording does not affect the
14 confidentiality of a voter and the voter's ballot, as determined by
15 the presiding judge.

16 SECTION 4. The heading to Section 62.0111, Election Code,
17 is amended to read as follows:

18 Sec. 62.0111. NOTICE RELATING TO ~~[OF PROHIBITION OF]~~
19 CERTAIN DEVICES.

20 SECTION 5. Section 62.0111(a), Election Code, is amended to
21 read as follows:

22 (a) At the discretion of the presiding judge, notice
23 relating to ~~[of the prohibition of]~~ the use of certain devices under
24 Section 61.014 may be posted at one or more locations in the polling
25 place where it can be read by persons waiting to vote.

26 SECTION 6. This Act takes effect September 1, 2011.